

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES W. HARPEL,

Plaintiff,

v.

RONALD A. NICHOLSON

Defendant.

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Civil Action No.: 1:12-cv-10280-RWZ

RULE 16.1(d)(3) CERTIFICATION

Pursuant to D. Mass. L.R. 16.1(d)(3), Plaintiff James W. Harpel and his undersigned counsel hereby certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course –and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in D. Mass. L.R. 16.4.

Dated: November 5, 2012

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/s/ James W. Harpel

/s/ Daniel J. Murphy

James W. Harpel

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